

REMARKS

Reconsideration of the present application as amended is requested. In the Office Action mailed January 27, 2004, issued in response to Applicant's filing of a Request for Continued Examination (RCE), Claims 11-14, 17, 19, 21-24, 27, 29 and 30 were rejected for lack of novelty over U.S. Patent No. 5,676,315 of Han. Claim 11 has been amended to specify that the drive mechanism includes "a reversing mechanism and an over-center mechanism that shifts the reversing mechanism." Claim 11 requires that the aforementioned structure be mounted inside the case members. Claim 11 has been further amended to indicate that the drive mechanism rotates the nozzle "between a pair of arc limits." Claim 12 has been canceled since the limitations thereof have been incorporated into Claim 11. Support for the amendment to Claim 11 requiring that an over-center mechanism that shifts the reversing mechanism be mounted inside the case members may be found on page 19, lines 4-15, and in Fig. 23 of the subject application. More particularly, over-center mechanism 108 shifts the reversing mechanism 26. The -center mechanism 108 is mounted inside the case members 28 and 30 (Fig. 18) that form a self-contained drive subassembly 32 (Figs. 25-30).

The over-center spring device 27 of Han is mounted outside case members 51, 72 and 73 as illustrated in Fig. 3 of Han. Accordingly, withdrawal of the rejection of Claim 11-14, 17 and 19 for lack of novelty over Han is requested.

In view of the examiner's rejection of Claims 21-24, 27, 29 and 30 for lack of novelty over Han, independent Claim 21 has been amended by removing the wording **entirely enclosing** and inserting therefore including. Claim 21 has been further amended to require that the drive subassembly include "a pair of mating case members that form opposite halves of a hollow container that encloses the turbine and drive mechanism." Support for this amendment of Claim 21 is found on page 14, lines 1-7, of the subject application, and in Figs. 18 and 25-30. The inner housing 72 of Han includes a transverse bottom plate or wall 73 which rests on the upper end of the stator 51. The reversing mechanism 35 of Han is mounted inside the inner housing 72. However, the rotor 53 of the water driven turbine 23 is mounted beneath the transverse bottom plate 73 inside a separate housing called stator 51. Han does not include a pair of mating case members that form opposite halves of a hollow container that

encloses the turbine *and* drive mechanism, as required by currently amended Claim 21. Accordingly, withdrawal of the anticipation rejection of Claims 21-24, 27 and 30 is requested. Claim 29 has been canceled as the limitations thereof have been incorporated into amended Claim 21. The dependency of allowed Claim 3 has been corrected so that it depends from allowed Claim 2, since there is no antecedent basis in Claim 1 for "the arc limits." The dependency of Claim 30 has been similarly corrected so that it depends from Claim 22.

In the January 27, 2004 Office Action, the examiner objected to Claims 18 and 28, but indicated that they would be allowable if re-written in independent form. In view of the foregoing, Claims 18 and 28 have been re-written as independent Claims 31 and 32, respectively, and dependent Claims 18 and 28 have been canceled.

Forty-two sheets of formal drawings in substitution for the informal drawings originally filed were mailed to the USPTO on January 27, 2004.

A second Supplemental Information Disclosure Statement is being transmitted concurrently herewith.

This application is now believed to be in condition for allowance, and notification to this effect is solicited. Transmitted herewith is a \$172 check to cover the required fees for two additional independent claims. Authorization is given to charge Deposit Account No. 50-0626 for any additional fees required.

Respectfully submitted,

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